



## Election Revision Committee Public Meeting Monday, September 8, 2014

### Meeting Minutes

#### I. Introductions

*Rebecca Craft called the meeting to order at 6:09 PM in the first floor meeting room of the Slaughter Beach Memorial Volunteer Fire Company. In addition to Council members Bill Krause, Kathleen Lock, and Glenn Stieffenhofer, three community members were in attendance.*

*Rebecca stated the purpose of the meeting is to gather information in a public forum from Slaughter Beach residents on which aspects of the existing election procedures need to be reviewed for possible revisions to create an election process that meets the needs of the entire community rather than just the needs of the full-time residents. Rebecca added that additional meetings would be held in the future as the process continues.*

#### II. Public Comment

*Rebecca opened the floor to public comment.*

*Dan McCarthy asked what the Commissioner of Elections provided as far as the requirements. Rebecca stated that her interpretation of the letter sent by COE Elaine Manlove was that she was offering strong recommendations for improving the election process but they were not requirements. Notably, Ms. Manlove recommended that the Board of Elections should:*

- 1. Appoint Election Officers. The Election Officers report to the Board of Elections and are the people who check in voters and operate the voting machines and should not be the same people as the Board of Elections;*
- 2. Determine a better way to qualify voters either by implementing a voter registration system or by using records that identify all owners of every property;*
- 3. Extend voting hours and/or offer absentee voting;*
- 4. Evaluate our four-month residency requirement, as most municipalities as well as the State of Delaware require only 30 days.*

*Dan McCarthy stated that when he contacted the town attorney regarding the meaning of domicile, the issue came up that our residency requirement is 4 months but the State of Delaware motor vehicle laws requires a person to transfer their driver's license within the first 60 days of continuous residency. He said that he thinks this (a DE driver's license) is a positive way to determine if a person is a resident of Delaware. Kathleen Lock asked if the state issues ID if you don't have a driver's license. Dan indicated they do. Rebecca asked if a state issued ID would be sufficient. Dan said he thought that it would be, as long as they are also on the Sussex County tax records confirming that they have property in Slaughter Beach.*

*A discussion ensued regarding everyone's understanding of a voter registration process before an election. She stated that years ago she had to register to vote but doesn't have to do that each election and only has to bring ID with her on the day of the election. Kathleen noted that several states have struck down the voter ID law. Dan stated that is not the case in Delaware. He said you must have an ID with your name and address on it. It was suggested that we should consult with the town attorney regarding what type of ID would be valid. Does the ID need to be a state issued ID or would a school ID or some other type of ID be sufficient? Does it need to have an address on it? We probably shouldn't do anything more stringent than the State requirement. The last thing we would want to do is disenfranchise eligible voters with strict laws.*

*A question was raised if a voter registration card would be sufficient identification on the day of election. Dan stated that even with a voter registration card, you are still required by law to present a valid photo ID. Considering part-time or seasonal residents whose primary residence is out-of-state, should we consider Slaughter Beach voter registration cards since they would not be eligible for a Delaware State ID? Would any state issued ID be sufficient (e.g. PA, MD, VA)?*

*Rebecca suggested we would look at using tax rolls and a valid state ID in a voter registration process (after consulting with attorney). Bill Krause suggested we could have a list of qualified electors, but they would have to register too. If someone is not on the tax rolls, we need to create a process for non-property owners to identify they are qualified to vote (i.e. multiple owners of a property that aren't listed on the tax rolls).*

*Kathy Lock said we should consider what we have in the charter now for the next election because we probably won't be able to change the charter prior to the next election. Changing the charter is a time consuming process (regarding residency requirement). Kathy remembers the last time the charter was changed, she believes it took about two years from start to finish. She recalls it being a cumbersome process that required many meetings, lots of hearings to keep the populace informed and information was sent in certified mail. Dan said that state law supersedes the Town Charter.*

*In an effort to keep everything perfectly straight and transparent, there are probably many improvements to the process that we can put in place before the next election without changing the Charter. Can some/most of this be done by ordinance rather than changing the charter? The Town Code can be changed much easier than the Town Charter. We don't want the efforts to improve the election process to be bogged down/delayed by the process of changing the Charter.*

*Rebecca stated that we need to have a process that more clearly identifies the qualified electors. The tax rolls that were used in the last election didn't list all property owners. Dan said that the Tax Collector used to request 5 copies of the list from Sussex County. Kathy Lock explained that this property tax list has all property owners' names listed rather than the truncated version we were provided for the last election. She said we need to request this type of list specifically for the election from Sussex County.*

*Bill Krause relayed a conversation he had with Frank Draper. Mr. Draper expressed concern that if you had a property that was owned by four people, and was rented to four people, that property would have eight eligible voters. Frank thought that it should either be the property owner(s) or the tenant(s) that should have the right to vote, but not both. Kathy Lock remembered that in the meeting with Board of Elections Commissioner Elaine Manlove, she said that few places in the US allow property owners to vote. Only the beach towns recognize the process that residents and property owners can both vote. Voter registration is generally based on domicile. While we wouldn't want to take away the right of property owners to vote, we cannot take away the rights of the domiciled resident.*

*What proves residency? Some don't have a state ID. Can a bill to the address suffice?*

*Rebecca shared a sample of the survey she created for feedback from meeting attendees. There being no immediate feedback regarding the survey, Rebecca said her intention was to have the survey sent to everyone that is on the town listserv. A copy of the survey questions is attached to these minutes.*

### III. Next Steps

- *Work needs to be done on the 4-month residency;*
- *Another process piece is the BOE – appointing officers that are not members of the BOE;*
- *Confirm that Charter states a written notice of election is required;*
- *Notice posted in three public places within the Town at least 10 days prior to the election: stating day, hours, place of election, number of candidates to be elected, the names of the candidates and the terms. Also required to publish notice in newspaper.*
- *Registration prior vs. day of;*
- *Consider extending voting hours;*
- *Consider absentee ballots;*

- *Next meeting will be on October 13, 2014 at 6 PM; [Note: The meeting scheduled for October 13, 2014 is cancelled.]*
- *Question on absentee ballots is part of the survey. We can develop a policy but we haven't.*

#### IV. Adjournment

*Rebecca Craft asked if there were any other areas of interest to be reviewed, comments, or feedback. There being no further comments, the meeting was adjourned at 6:40 PM.*

Respectfully submitted,



Glenn Stieffenhofer  
Secretary, Town of Slaughter Beach

#### Attachments:

- Sign-In Sheet
- Recommendations from Elaine Manlove
- Survey Questions



Election Revision Committee Public Meeting  
Monday, September 8, 2014  
6:00 p.m. - 6:30 p.m.  
Attendees

Name	Email
Daniel McCarthy	
KMLCOLE@CONCISE.NET	Kathy Jack
GLENN STEFFENHOFER	GLENN STEFFENHOFER@GMAIL.COM
Bertie Craft	
Bill Knicker	
Diane Thomas	DTHOMAS8285@AOL.COM
Donald Evans	

# Slaughter Beach Election Reform Survey

This survey is designed to elicit input from residents and property owners on Slaughter Beach regarding election policies and procedures. Responses to this survey is voluntary and anonymous. Results will be used only for the purposes of guiding the election reform process.

## How long do you believe the annual Slaughter Beach election should last?

- 2 hours
- 4 hours
- 6 hours
- Other:

## Do you believe absentee balloting should be permitted for Slaughter Beach elections?

- Yes
- No

## If you answered "Yes" to absentee balloting, how many days prior to the election should we stop sending absentee ballots in regular mail?

- 10 days
- 7 days
- 4 days
- Other:

## Do you believe Slaughter Beach should require voter registration prior to the annual election?

- Yes
- No

## What other changes would you like to see take place as part of the Slaughter Beach Election Reform process?

**Submit**



STATE OF DELAWARE  
OFFICE OF THE STATE ELECTION COMMISSIONER

ELAINE MANLOVE, STATE ELECTION COMMISSIONER

July 21, 2014

Mayor Bill Krause  
Board of Elections  
357 Bay Avenue  
Slaughter Beach, DE 19963

Dear Mayor and Members of the Board of Elections:

At the July 16 meeting to gather information following complaints received on the July 5 Slaughter Beach Election, I indicated that I would get back to you with recommendations on improving the election process.

In addition to the numerous complaints which caused me to schedule the meeting, many other issues were brought to my attention during the meeting. While I do not believe state or federal laws were broken, property owners were denied their right to vote due to poor election processes. Therefore, I would like to offer the following suggestions to both the Mayor and the current Board of Elections:

- The Board of Elections should appoint Election Officers. They should not be the same people. The Elections Officers report to the Board of Elections and are the people who check in voters and operate the voting machines.
- Determine a better way to identify qualified voters. The tax records used in the last election were not complete and I believe it to be a burden to expect citizens to bring their deed. If you require documentation to vote, you have to let voters know in advance what that documentation is. The municipality should either implement a voter registration system or use records that identify all owners of every property.
- Extend voting hours and/or offer absentee voting. Two hours is a very limited timeframe in which to conduct the election. Since non-resident property owners are allowed to vote, it would make sense to allow them to vote by absentee ballot.
- The four month residency requirement is unusually long. Most municipalities as well as the State of Delaware require only 30 days.

My office would be happy to work with you regarding Board Member and Election Officer training. I know that it was not the intent of Slaughter Beach to deny qualified voters the right to vote, but that is exactly what happened because barriers such as an incomplete list and inconsistently applied identification were used.

Very truly yours,

A handwritten signature in cursive script that reads "Elaine Manlove".

Elaine Manlove  
State Election Commissioner

Cc: Ann Woolfolk, Deputy Attorney General  
Kenneth McDowell, Director, Dept. of Elections for Sussex County  
Jean Turner, Deputy Director, Dept. of Elections for Sussex County